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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

: PATENT APPLICATION

Stuart D. Hellring et al

: Group Art Unit: 1763

Serial No.: 09/882,549

: Examiner: George A. Goudreau

Filing Date: June 14, 2001

For: A SILICA AND SILICA BASED  
SLURRY

: Docket No. 1673A1

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3/12/03  
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RESPONSE TO OFFICE ACTION

Commissioner for Patents  
Washington, D.C. 20231

Sir:

RESPONSE

Applicants have carefully reviewed the Office Action dated October 2, 2002, related to the above-mentioned patent case, and request consideration of the following remarks.

REMARKS

The Examiner has rejected claims 1-5, 7-12, and 18-30 under 35 U.S.C. 103(a) as being unpatentable over United States Patent 5,286,478 (i.e., "Persello"). Applicants traverse this rejection. Applicants submit that the claimed invention is not fairly suggested by the Persello reference.

The Persello reference does not disclose nor even suggest silica having an aggregate of primary particles wherein the aggregate size is less than one (1) micron. Moreover, a reason or purpose for producing aggregated silica having an aggregate size within the claimed range is not

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on <u>February 28, 2003</u> (Date of Deposit) <u>Carol A. Marmo</u> (Name of applicant, assignee or Registered Representative) <u>Carol A. Marmo</u> (Signature) <u>February 28, 2003</u> (Date of Signature)
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